

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on October 21, 1986, Samuel Leroy Ivy and wife, Frances L. Ivy, executed a deed of trust to John C. Woolley and George V. Kinney, Trustee for the benefit of Union Planters National Bank, which deed of trust is recorded in Deed of Trust Book 381 at Page 196 in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid deed of trust was assigned to Southern Federal Savings and Loan Association, by instrument dated October 29, 1986, and recorded in Book 390 at Page 67 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid deed of trust was assigned to Colonial Mortgage Company, by instrument dated March 1, 1988, and recorded in Book 439 at Page 489 and re-recorded in Book 440 at page 554 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, Colonial Mortgage Company, the holder of said deed of trust and the note secured thereby, substituted John C. Underwood, Jr., as Trustee therein, as authorized by the terms thereof, by instrument dated July 30, 1996 and recorded in the office of the aforesaid Chancery Clerk in Book 852 at Page 514; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said deed of trust, and the legal holder of said indebtedness, Colonial Mortgage Company, having requested the undersigned Substituted Trustee to execute the trust and sell

said land and property in accordance with the terms of said deed of trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substituted Trustee's fees and expense of sale;

WHEREAS, the undersigned Substituted Trustee, after posting and publication of the Notice of Sale as required by the terms of said deed of trust and the laws of the State of Mississippi, within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.), on the 10th day of October, 1997, at public outcry offered the hereinafter described property for sale at the Main Front door of the County Courthouse at Hernando, County of DeSoto, State of Mississippi;

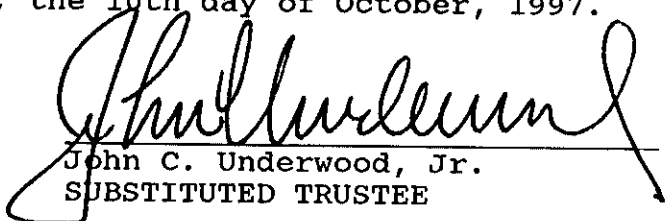
WHEREAS, at such sale, Johnny R. Burkhart bid the sum of \$35,594.28; and

WHEREAS, said bid by Johnny R. Burkhart was the highest bid;

NOW, THEREFORE, I, John C. Underwood, Jr., Substituted Trustee, in consideration of the sum of \$35,594.28, do hereby sell and convey unto Johnny R. Burkhart and Jennifer H. Burkhart as joint tenants with full rights of survivorship and not as tenants in common the following described property located and situated in the County of DeSoto, State of Mississippi, to-wit:

Lot 226, Section B, Brook Hollow Subdivision, in Section 24, Township 1 South, Range 8 West, in the City of Southaven, DeSoto County, Mississippi, as shown by the plat appearing of record in Plat Book 7, Page 35, in the office of the Chancery Clerk of DeSoto County, Mississippi.

WITNESS MY SIGNATURE, this, the 10th day of October, 1997.


John C. Underwood, Jr.
SUBSTITUTED TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY came and appeared before me, the undersigned authority in and for the county and state aforesaid, John C. Underwood, Jr., Substituted Trustee, who acknowledged to and before me that he signed and delivered the foregoing Substituted Trustee's Deed of the day and year therein mentioned, and for the purposes therein expressed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this, the 10th day of October, 1997.


NOTARY PUBLIC

My Commission Expires: October 10, 2000

Grantor's Address:
Post Office Box 16852
Jackson, Mississippi 39236
(601)981-7773

Grantee's Address:
109 Lyles Road
Senatobia, Mississippi 38668
(601) 562-8501

Prepared by:
Underwood Law Firm
Post Office Box 16852
Jackson, Mississippi 39236
(601) 981-7773



DeSoto Times Today

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

TAMMY SCOTT personally appeared before me the undersigned in and for said County and State and states on oath that she is the CLERK of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

Volume No. 102 on the 19 day of September, 1997

Volume No. 102 on the 26 day of September, 1997

Volume No. 102 on the 3 day of October, 1997

Volume No. _____ on the _____ day of _____, 19____

Volume No. _____ on the _____ day of _____, 19____

Tammy Scott
(TITLE)

Sworn to and subscribed before me, this 3 day of October, 1997

Barbara E. Burken

BY Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: OCT. 31, 1998

My commission expires: BONDED THRU NOTARY PUBLIC UNDERWRITERS

A. Single first insertion of 468 words @ .08 \$ 37.44
B. 2 subsequent insertions of 936 words @ .05 \$ 46.80
C. Making proof of publication and depositing to same \$ _____

TOTAL PUBLISHER'S FEE: \$ 85.24



STATE MS.-DE SOTO CO. CLK.
FILED

OCT 22 2 41 PM '97

BK 323 PG 605
W.E. DAVIS CH. CLK.**SUBSTITUTED TRUSTEE'S NOTICE
OF SALE**

WHEREAS, on October 21, 1986, Samuel Leroy Ivy and wife, Frances L. Ivy, executed a deed of trust to John C. Woolley and George V. Kinney, Trustee for the benefit of Union Planters National Bank, which deed of trust is recorded in Deed of Trust Book 381 at Page 196 in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid deed of trust was assigned to Southern Federal Savings and Loan Association, by instrument dated October 29, 1986, and recorded in the office of the aforesaid Chancery Clerk in Book 390 at page 67; and

WHEREAS, the aforesaid deed of trust was assigned to Colonial Mortgage Company, by instrument dated March 1, 1988, and recorded in the office of the aforesaid Chancery Clerk in Book 439 at Page 489 and re-recorded in Book 440 at page 554; and

WHEREAS, the aforesaid, Colonial Mortgage Company, the holder of said deed of trust and the note secured thereby, substituted John C. Underwood, Jr., as Trustee therein, as authorized by the terms thereof, by instrument dated July 30, 1996 and recorded in the office of the aforesaid Chancery Clerk in Book 852 at Page 514; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said deed of trust, and the legal holder of said indebtedness, Colonial Mortgage Company, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust for the purpose of raising the sums due thereunder, together with attorneys fees, Substituted Trustee's fees and expense of sale;

NOW, THEREFORE, I, John C. Underwood, Jr., Substituted Trustee in said deed of trust, will on the 10th day of October, 1997, offer for sale at public outcry for cash to the highest bidder, and sell within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.) at the Main Front door of the County Courthouse at Hemando, County of DeSoto, State of Mississippi, the following described property situated in the County of DeSoto, State of Mississippi, to-wit:

Lot 226, Section B, Brook Hollow Subdivision, in Section 24, Township 1 South, Range 8 West, in the City of Southaven, DeSoto County, Mississippi, as shown by the plat appearing of record in Plat Book 7, Page 35, in the office of the Chancery Clerk of DeSoto County, Mississippi.

I WILL CONVEY only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, this, the 6th day of August, 1997.

John C. Underwood, Jr.
SUBSTITUTED TRUSTEE
Sept. 19, 26, Oct. 3, 1997